



Atty Dkt No. ARC920030103US1
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert David ALLEN et al.

Confirmation No.: 8945

Serial No.: 10/729,169

Group Art Unit: 1713

Filing Date: December 4, 2003

Examiner: Unassigned

Title: LOW ACTIVATION ENERGY PHOTORESISTS

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS,
PETITION TO ACCEPT COLOR PHOTOGRAPHS UNDER 37 CFR § 1.84(A)(2)
AND (B)(2), AND PETITION FOR EXTENSION OF TIME

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Corrected Application Papers dated March 15, 2004, applicants hereby petition the Commissioner to accept the enclosed color photographs as Figs. 1A-6 in the above-referenced application, as the figures originally filed with the application in black and white were found to not be electronically reproducible by the Patent Office.

Applicants also petition for a one-month extension of time for which to file this response, extending the due date to June 15, 2004.

Pursuant to 37 CFR § 1.84(a)(2), enclosed herewith are:

- a) A Fee Transmittal authorizing the Commissioner to charge Deposit Account No. 09-0441 for the required petition fee of \$130 as set forth in 37 CFR § 1.17(h) and the one-month extension fee of \$110 for a large entity;
- b) three (3) complete sets (seven (7) sheets per set) of color photographs as Figs. 1A-6;
- c) a black and white photocopy set of the color photographs; and
- d) a Preliminary Amendment as set forth in 37 CFR § 1.84(a)(2)(iv).

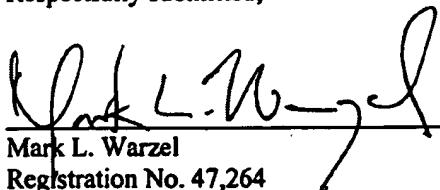
Applicants request favorable consideration of this petition.

06/23/2004 AWONDAF1 00000035 090441 10729169

01 FC:1460 130.00 DA

Respectfully submitted,

By:


Mark L. Warzel
Registration No. 47,264

REED & EBERLE LLP
800 Menlo Avenue, Suite 210
Menlo Park, California 94025
tel.: (650) 330-0900; fax: (650) 330-0980



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PRELIMINARY AMENDMENT UNDER 37 CFR § 1.84(A)(2)(IV)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Corrected Application Papers dated March 15, 2004, please amend the above-identified application as follows.

Amendments to the Specification begin on page 2 of this document.

Remarks begin on page 3 of this document.

6/23/2004 AWDNDAF1 00000035 090441 10729169

02 FC:1251 110.00 DA

**RAM** Fee History
Query
Revenue Accounting and Management

Name/Number: 10729169

Total Records Found: 5

Start Date: Any Date

End Date: Any Date

Accounting Date	Sequence Num.	Tran Type	Fee Code	Fee Amount	Mailroom Date	Payment Method
01/06/2004	00000179	1	<u>1001</u>	\$770.00	12/04/2003	DA 090441
01/06/2004	00000180	1	<u>1202</u>	\$648.00	12/04/2003	DA 090441
01/12/2004	00000121	1	<u>8021</u>	\$40.00	12/04/2003	DA 090441
06/23/2004	00000068	1	<u>1460</u>	\$130.00	06/18/2004	DA 090441
06/23/2004	00000069	1	<u>1251</u>	\$110.00	06/18/2004	DA 090441

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Serial No.: 10/729,169

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Group Art Unit: 1713

Examiner: Unassigned

**REQUEST FOR REFUND AND RESPONSE TO
WITHDRAWAL OF PREVIOUSLY SENT NOTICE**

Commissioner for Patents

P.O. Box 1450

Deposit Account

Mail Stop 16

Alexandria, VA 22313-1450

Sir:

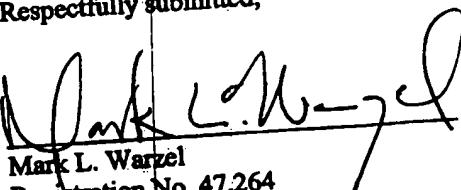
Applicants respectfully request a refund of fees paid to the U.S. Patent & Trademark Office due to an error on the part of the Office based on the circumstances summarized as follows:

- 1) On March 15, 2004, a Notice to File Corrected Application Papers was sent to applicants indicating that replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 were required;
- 2) On June 15, 2004, in response to the Notice, applicants filed a Petition and Request for an Extension of Time charging International Business Machines Deposit Account No. 09-0441 in the amount of \$240 for the Petition and Extension of Time;
- 3) On July 28, 2004 a notice of Withdrawal of Previously Sent Notice was sent to applicants indicating that the Notice sent on March 15, 2004 was sent in error and that applicants were requested to disregard the Notice of March 15th.

Due to the error on the part of the U.S. Patent & Trademark Office in sending the Notice on March 15, 2004, applicants have been required to respond to this Notice, and have paid an amount of \$240 that was not necessary. Applicants respectfully submit that the fee of \$240 applicants paid in error should be refunded to them and request that this amount be credited to the International Business Machines Deposit Account No. 09-0441.

Respectfully submitted,

By:


Mark L. Warzel
Registration No. 47,264

REED & EBERLE LLP
800 Menlo Avenue, Suite 210
Menlo Park, California 94025
tel.: (650) 330-0900; fax: (650) 330-0980

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Alexandria, VA 22313-1450

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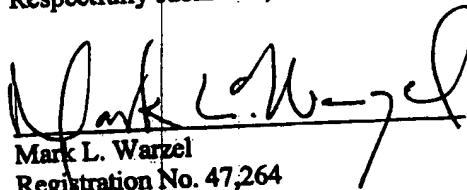
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Respectfully submitted,

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PATENT PAPERWORK
R&E No. 5075-0041
PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Mail Stop 16

Application Number	10/729,169
Filing Date	December 4, 2003
First Named Inventor	Robert David Allen
Art Unit	1713
Examiner Name	Unassigned
Attorney Docket Number	ARC920030103US1

ENCLOSURES (Check all that apply)

- No fee due
 - Fee Transmittal
- Fee(s) due
 - Fee Transmittal
 - Check for \$*
- Charge any underpayment or credit any overpayment to Deposit Account No. 09-0441
- Return postcard
- Amendment/Reply
 - After Final
 - Affidavits/declaration(s)
 - Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement & Form(s) PTO-1449
 - Copy(ies) of cited reference(s)
- Certified Copy of Priority Document(s)
- Response to Missing Parts / Incomplete Application
 - Response to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation, Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s):

- After Allowance Communication to a Technology Center (TC)
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):
 - Request for Refund and Response to Withdrawal of Previously Sent Notice

Remarks:
The Commissioner is hereby authorized to charge any additional or underpayment of fee(s) to Deposit Account No. 09-0441.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name (print/type)

Mark L. Warzel, Reg. No. 47,284
Reed & Eberle LLP

Telephone (650) 330-0900

Signature

Date September 29, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Name (print/type) Joe Clark

Date September 29, 2004

Signature

F:\Documents\5075-0041\Refund Request Transmittal.doc